2: Hudson E-4, 5 (1936) 1936 RQ2 Kazak RQ2

428 to keep the shares of all sons as nearly equal as possible. If the father had not already negotiated for wives for his sons, the first necessity was to assure to each a sufficient competency in animals to pay the bride price. This requirement frequently absorbed the major part of the estate.

The division among the older sons having taken place, the remainder after the death of the father passed to the youngest son. He inherited also the kibitka of his father and the winter dwelling, although if the father had not had the means to provide the other sons with their own houses for winter they might continue to live with the youngest son in the house he had inherited.[58]

[583] A daughter did not normally inherit, but among the wealthier families received on her marriage a dowry which was, theoretically at least, held in trust for her by her husband.[60]

A daughter might also be considered in herself a valuable part of the inheritance in anticipation of the bride price which might later be received on her marriage. This potential income, especially in poor families where there was little actual property to divide, might be of great importance, and the sons, if there were nothing else, would apportion among themselves the bride price received for their sisters.[61]

[429] [587] If a father died while his children were still minors his estate would be held in trust for them until they came of age by his brother, who, under the levirate, would normally marry the widow. That this guardianship was not without its perquisites is indicated by Grodekov's remark[62] that, "Upon coming of age the heir may overlook the embezzlement of his portion."

According to Levshin[63] careful husbands kept separate from their own possessions the dowries of their wives, since the wife's property was inherited by her own children alone and not by other children of her husband. I am not sure that this was usually the case. My informants were inclined to think that most husbands were not over-scrupulous about annexing their wives' dowries to their own property.

If a man died childless, his widow or widows, according to my information, would inherit. If there were more than one, the largest share went to the senior wife, in priority of marriage, and smaller shares to the junior wives. The actual division was determined [587] by the aqsaqal.[64] A widow marrying again retained the property which she had inherited. It did not pass to her new husband, although normally she would be expected to marry his younger brother, in which case it would remain in the family.

[597] Adoption might take place in order to acquire an heir. According to Tlenshiev, if a man died leaving only an elderly widow and no children she might adopt a son from another family in the uru, probably a son of the deceased husband's brother, who would be formally considered as her son and would inherit the property of her husband after her death.

[60] See also Radlov, *Aus Sibirien*, 1: 416.
[61] See also Levshin, *Description des hordes*, 364.
[62] Dingelstedt, *Le Droit coutumier*, 153–54.
[63] *Kirgizy i Karakirgizy*, 40.
[64] *Description des hordes*, 363.

1[leader of uru -- Analyst]

2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

593 562 woman but agreed that this position varied considerably from family to family. There were examples of hen-pecked husbands dominated by their wives, but these were looked upon with a mixture of disdain and amusement by the community.

[841] According to Mohammedan custom women are considered unclean at the time of menstruation, but the Kazak woman seems to have been little affected by this view because she could not be spared from the work around the camp to perform the proper ablutions, prayers and fasts.[21]

595 855 [60] When circumstances made it possible for each wife to have her own kibitka she brought up her children more or less separately from those of other wives. When there were two or more wives living in one kibitka maternal authority tended to become somewhat confused but under the general supervision of the senior wife. Children applied to other wives of their father the same term (cece) which they used for their own mother or, if it was necessary to distinguish, added a descriptive term: egej cece (stepmother). The several wives likewise referred to any of their husband's children as ul (son) or qɨz (daughter). As the children passed out of the infancy stage boys were brought up by the father, while the 852 girls were trained by their mothers.[22] Boys were circumcised at any time from three to twelve years of age by a mullah (Mohammedan priest). For this occasion parents were expected to give a feast. Levshin notes[23] that this ceremony was much more strictly observed than any other of the obligations laid down by Islamic law.

884 There were no ceremonial observances at puberty or coming of age, nor was there any fixed age at which a youth was considered to have obtained his majority. According to Grodekov's information[24] it might be anywhere from the twelfth to the fifteenth year, depending on the precocity of the individual. Inasmuch as the sign and symbol of having attained majority was to be master of one's own kibitka it also depended on the affluence of the parents, since the rich could afford to set up their sons at an earlier age. Girls could hardly be said to have ever come of age since a woman was "only half a man," but their marriage might be considered, in this respect, as equivalent to the son's obtaining his own [582] kibitka. The marriage of a girl might take place at any time from about nine years of age on.

597 Children were frequently adopted. This might be because their own parents had died and they would be taken in by relatives of the latter, usually by their father's brother. Or a childless family would adopt a son from one that had several, preferably also from among close relatives. Grodekov[25] further mentions reciprocal exchange of children between two families. I did not obtain any information on this point.

Adoption took place before witnesses and was symbolized by the child touching the breast of his foster mother, indicating that she considered him as her own. Such adopted

[21] See also Rudenko, *Ocherk Byta . . . Kazakov*, 49.
[22] See also Grodekov, *Kirgizy i Kara-kirgizy*, 33.
[23] *Description des hordes*, 356–57.
[24] *Op. cit.*, 36.
[25] *Kirgizy i Kara-kirgizy*, 37; see also Dingelstedt, *Le Droit coutumier*, 172–73.

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children were entitled to shares in the distribution of the father's property as were his own offspring. Grodekov, however, remarks[36] that the adopted son may leave his foster family whenever he wishes or the foster father may cast him out, suggesting that the tie may not have been so close as that between blood parents and children. In extreme circumstances, however, it was also possible for a father to disown his real son. The father was the indisputable head of the family as reflected in the Kazak proverb: "A son before his father is like a slave before his master."[37]

EXOGAMY

The question of the exogamous unit in Kazak society is of crucial importance in defining the concept of the uru and the nature of social groupings.

My informants agreed that a man might not marry a girl of his own uru, but when one endeavors to discover in exactly what sense the term uru is used in this connection, difficulties develop. Tlenshiev declared that one might not marry a girl with whom one had a common male ancestor within seven generations. "Beyond seven fathers," he said, "it will be another uru." This of course opens up a new concept of the uru, mathematically determined for the purposes of exogamy as comprising all those related through seven generations in the male line. Such a classification would not correspond to any of the named groups. It would be possible, according to the informants, for a man of the Davlet uru to marry a Davlet girl provided the requirements of seven generation exogamy made it possible. Such a situation, however, seems to have occurred rarely. The informants agreed that such marriages were theoretically permissible, but were unable to give any specific instances.

In principle this system of exogamy agrees with information from other sources, although there appears to have been considerable variation in the exact number of generations which defined the prohibited group. Grodekov writes:[38]

> Marriage occurs between the ordas, tribes and gentes as far as the seventh ancestor; that is, to the seventh generation of ancestors reckoning in the male line, or, according to some opinions to the fourth and even third generation.

He adds that

> . . . among the Kara-kirghiz marriage may be concluded as far as the fifth generation. At the present time they marry even closer, even to the second generation, which they condemn with the words "You are violating zan" [the customary law] but they do not dissolve the marriage and do not punish the participants. The mullah Asan [one of Grodekov's informants] declares "Formerly among the Kara-kirghiz they married, as among the Kazaks, a bride from the seventh generation, now they take her from the third, and are even beginning to marry from the second generation, in conformity with the shariat [Mohammedan law] . . . ."

[36] *Op. cit.*, 37.
[37] Grodekov, *Kirgizy i Karakirgizy*, 33.
[38] *Kirgizy i Karakirgizy*, 27.

In former times the slaves also formed a numerous group [161]
permanent residents among the uru members, except for such of them as might be ransomed [621]
or freed for other reasons. Their children would also be slaves of the same owners. Here, in a [567]
slightly different status, must be included the slaves and maid-servants who formed part of the dowries of wealthy brides. In the unlikely event of their mistress being sent back to her parents they would perhaps return with her.

In a quite different economic class were individuals who, while not blood members of the group, might own and occupy land for fodder and winter quarters among them.[2] [233]
They were mostly rather wealthy cattle owners who were obliged to supplement their hay-fields and to find better or more extensive winter shelter for their herds. In some, and perhaps in most, cases they were related to the uru members through the female line.[4]

Children might be brought up by the mother's group. Grodekov[5] writes: [855]

> Children enjoy protection from the mother's tribe when the father's is inactive or absent. In that case when the father is of the tribe of, say, Chumbe, and the child is educated by the mother's tribe, Dzhappac, he is called among them Dzhappac [compare Rudenko's statement above] to avoid coldness of relations . . . [but] no one may belong to his mother's tribe.

Grodekov further indicates that a group may have a legal claim on daughters of its female members by birth:

> If a father dies without relatives, the children go to the mother's tribe. The son may choose whether to go or not, and may take up a trade but the girl is obliged to go since they claim her by law.

There is no further light on this point. It seems contradictory to other information.

There might be children other than those whose mothers had belonged to the group adopted by families within it. Usually, however, adopted children were taken from a brother's family, and therefore were by birth uru members. I have no satisfactory information on whether or not they would be considered as uru members if born outside but formally adopted into it. [597]

A wife's kinsmen might in some cases come and live with her in her husband's group. Grodekov says[6] that a widower may go to live with his married daughter, but only with the permission of his son-in-law. One of my informants remarked that if a girl married well into a rich family her own kinsmen might be expected to spend a large part of their time visiting her. [606]

In enumerating the foreign elements resident among the uru group there must also be included the free-lance warriors and the Telengut who served the powerful local chiefs and khans. [701]

All the categories mentioned above were more or less permanently attached to the

[3] See also Grodekov, *Kirgizy i Karakirgizy*, 15.
[4] Grodekov, *Kirgizy i Karakirgizy*, 15, 37; Dingelstedt, *Le Droit coutumier*, 214.
[5] *Op. cit.*, 37.
[6] *Kirgizy i Karakirgizy*, 35.

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lives on meat, reaches full age earlier (from the age of 10) than the poor man's daughter (from the age of 15). Then Khamahammed added: "I cannot speak for others, but I only know that I reached my majority (balagatka yettim), /37/ at 12, since from that time on I became capable of being the father of a family (kedkhudachilikke yarab idim). Other weaker people (nacharrak adam) mature only at 15."

618
Children enjoy the protection of the mother's clan (turkun), when the father's clan is inactive or absent. There are cases when after the death of the father from the clan, let us say, of Chumekey, the boy is raised among his mother's kin, let us say, Dzhappas, and calls himself Dzhappas among them, to avoid coldness in his relations. However, in case the boy is killed, his own clan demands the wergeld and not his mother's clan.

If the deceased father has no relatives, the children go to the mother's clan. The son is free to go or not, for he can take a trade, but the daughter must go. They demand her in court.

[848]
No one can belong to his mother's clan. Even illegitimate children (kharami nikasyz) seek out their father, and are considered to be of his clan. Children born of a widow several years after the death of her husband, are in some places considered on an equal with the children of the deceased. (Perovsk uyezd).

Among the Kirgiz, those who have grown up in a strange clan do not cease to consider themselves of the clan of their father. But kharami bala, without a father, consider themselves in the mother's clan.

* * * *

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Adopted children, inchiles bala, as the name itself indicates, are sharers of the property alloted by their titular parents. The adopted son pays fines and wergeld and receives them just as the real children. When the parents of the boy to be adopted are alive, their consent is necessary for the adoption.

Mutual adoption or exchange of children is possible only between kin. The adoption of a child is announced before witnesses and is accompanied by the slaughter of an animal, from which a witness, the aksakal, puts the asyk /38/ yilik bone into the hand of the adopted child if it is a boy. The adopted one, showing it in his hand, takes some to eat. A girl can be given the tokpan yilik.

597 Touching the breast of the adoptive mother is a symbol that she considers the adopted one on an equal with her own children, whom she nursed, although she did not nurse him.

The adopted one is usually not considered as close as the true child, although he may gain more affection than the true children by his spiritual qualities and his services. The same can be said of adopted slaves.

When they wish to reject the adopted one, they give him an allotment only of inchi or only of kalym. In extreme cases it is enough to give him a horse for his departure. On the request of the adopted one, the aksakas may request the father not to reject his foster child without a serious offense (Perovsk uyezd). The adopted one, on his part, can always go away to his clan at any time.

The clan does not change through adoption, at any rate not now.

[582] According to the report of E. A. Aleksandrov, the adopted child (inchiles bala), coming from a clan and lineage with which marriage is permissible, can under no circumstances enter into marriage with those who have adopted him. This includes not only the family, but also the close relatives of this family. He is considered as a true son of the adopter and has a right to the name and the inheritance on an equal with the lawful children.

* * * *

424 After the death of the father, even though the mother is living, one of the close kinsmen takes the place of the father for the protection of the orphans (yetim), and the wards nomadize together with him.

This guardianship is not juridical but patriarchal, for which reason also there are rarely used words signifying the guardian: miraskhur, miras, mira(1), and according to Daulet Bushaev - vasy.

1. On hearing the word "mirasy" meaning "his guardian" they took the sy for a suffix and began to use "mira". Actually, the Arabic miras means inheritance, and miraskhur, the receiver of the inheritance. Among the Kazakhs these same words have received the meaning of guardian.

/39/. If no one remains alive in the tent but the successor, who is not of age, then he moves with all his property to the nearest kinsman (Perovsk uyezd). To this last kinsman other kinsmen come

judge dispose of property which was not his own.[1] The unit of property ownership was the family, and still is.

The clan was a military unit, and supplied companies of armed and mounted men to the armies of the khans and sultans. Each clan company fought under its own leader, and had its own distinctive rallying cry (in Turkic uran, from which "hurrah" is derived) which was usually a repetition of the names of illustrious leaders and warriors of the clan. These companies were used not only in wartime but in any time of trouble; they were called to help during feuds, for example, or in fending off thieves.

The clan supplied the khan with taxes in kind (usually livestock), in money, and in labor service. Taxes in money were not common, since money itself was a rarity on the steppe, and was to be found in the hands of traders and moneymen rather than among clansmen or clan leaders. The taxes paid by the clan to the khan were collected by the clan leader and paid for the group as a whole. Aside from livestock, the clan paid in labor service, reckoned in terms of transport duty and communications (messenger service). And the clan supplied able-bodied men in military companies under its own leaders, as required by the khan. The last century in which this system actually worked as a normal matter was the 18th century. By then the Kazakhs had been definitely divided into three hordes, and the khans ruled over each horde separately. By the 19th century, there were only two types of khans, those who came forward to unite their people against the Russians, such as Kenesary and Taimanov, and those who were maintained by the Russians, such as Khan Bukei of the Inner Horde, and his line.[2]

It is perhaps surprising to find a society in which the members are all theoretically related to each other by ties of blood, yet which is riven by class distinctions and by unequal distributions of ranks and privileges. Yet this is the case among many peoples of Central Asia, such as the Uzbeks and Kazakhs, and of Eastern Asia, such as the Mongols. The basis of social differentiation is the ranking of descent lines according to the order of birth of the founders. Once this differentiation is established, and the society is divided into aristocrats (by virtue of primogeniture) and commoners, more complex divisions follow. A leader or khan is then set up as the first among the aristocrats, and he forms a court of aides, ministers, viceroys, field commanders, priests, and so forth. The khan may ennoble a commoner as a reward for bravery in the field, or because he is literate and hence of exceptional utility to the state.

Theoretically, then, all Kazakhs are related to each other by ties of blood. This does not mean that they are all actually descendants of one founding ancestor, for such a figure lies so far in the past that it is necessarily mythical; the truth or falsity of the tradition can no longer be shown. In addition to the myth, however, the establishment of kinship is also achieved by another kind of fiction. Kinship may be based on adoption, whereby a son is regarded as though he were the

[1] Valikhanov, 1904, pp. 150 ff.; Radloff (1861), 1893, pp. 513-514; Ruzgunov, 1879, pp. 234-237. [2] Tronin, 1864, pp. 3-6; Abdykalykov and Pankratova, 1943, pp. 140-241.

biological progeny, or on the fusion of two descent lines, which is more complicated. According to this process, one village or lineage or clan may leave its ancestral camps and pasturages and request admission into another. The host clan agrees, accepts the newcomers not as guests but as kinsmen, and gives them a fictional genealogy and fictional kinship relations. These relationships have both religious and social significance.[1] In religious terms the fictions are needed to make the guests acceptable to the local and ancestral spirits; in social terms, these kinship relations are the social relations—or at least they were until recently, and they still exert a strong influence today. A fusion of two descent lines in this manner results from fission or cleavage within one descent line; this fission may be caused by quarrels between two leaders, or by loss of herds which may cause a kinship group to break up, leaving one segment to seek admission into another group.

Fictional kinship extends also to slaves. A certain amount of slavery existed for debt or for punishment of criminals, but most of the slaves, who were never a numerous group, were captives taken in feuds and wars.[2] Such captives did not remain slaves long, as a rule; they were either put to death, or freed and accepted into the civil life of Kazakh society. If freed, they were given a fictional kinship status which soon became blurred over and indistinguishable from the rest of the society.

These are in broad outline the traditional patterns of Kazakh society. They must be borne in mind in order to understand many of the ideological and doctrinary battles between Moscow and the Kazakhs, especially Kazakh leaders.

FAMILY AND VILLAGE LIFE

The Kazakh family is by nature an extended family, composed of a man, his wife or wives, his sons and their wives and children, and his unmarried daughters. If the family is rich, it may also have further kin, both married and unmarried, who are poor and maintain themselves by working for the rich. The rich family may also contain servants who are not directly related at all, and finally slaves. The typical households, however, consist only of close kin.[3]

The authority in the family is patriarchal, resting ultimately in the hands of the father or the eldest of several brothers.[4] The authority passes from father to eldest son, or if there is no son, to the eldest surviving male of the immediate family, such as a brother or nephew. The authority of the patriarch is extensive—over women and children it is all but absolute—but it is subject to certain limitations. If it is noticed that a father is squandering his patrimony in idleness or frivolous undertakings, the village elders may remonstrate with him, and

[1] Rudenko *et al*, 1930, pp. 59-60; Valikhanov, 1904, pp. 291-292.
[2] Levshin (85), 1840, p. 330.
[3] Kharuzin, 1889, pp. 107-108; Imeretsov, 1897, pp. 1-2.
[4] Valikhanov, 1904, p. 286.

[Little Horde]

428 loses his rights as such. The same relationship, with
604 its inherent conflicts, is found among the Kalmuks.[1A] Another aspect of the problem is the unforeseeable nature of the parents. It is not merely that the nephew comes silently and unbeknownst to the uncle to drive off his portion; it will also be recalled that marriage residence is patrilocal, and the brother may not reckon with the existence of a sister's son who appears from afar to demand what is his. Such a seizure may disturb whatever prior arrangements the nagaky may have made. An act of seizure is a violent act, and per se is disruptive of social peace. The entire relationship is a disharmony built in to the social structure.

428 The principle of apportionment to the elder sons during the lifetime of the father and that of ultimogeniture continued in force in the Little Horde at the turn of the century: "The inheritance on the death of the father goes to the unmarried sons still living in the paternal aul, or if all are married, to the youngest, who remains with the father. The elder married sons will have been established during the father's lifetime and have no more rights in his property."[222]

577 Adoption was generally practiced among close kin alone,[223] which recalls the practice elsewhere of adoption

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[222] Karutz, Kirgische Hochzeit, 42; Karutz, Unter Kirgisen und Turkmenen, 113.

[223] Balliuzek, 96.

1A [Cf. cat. No. AHI Mongolia, p. 274 ff. -- Analyst]

597 of deceased brother's children. Again, an affianced girl who has been orphaned may be raised by her father-in-law, who has an interest in her upbringing in view of the kalym already paid for her.[224] This is to be distinguished from adoption per se because, while it does mean the taking up of children not one's own, the female never becomes fully incorporated into her husband's family.

The Inner or Bukei Horde

101 177 The Horde named for Khan Bukei was the last such formation among the Kazakh hordes. It was formed in the year 1800 when some 1500 Kazakhs of the Little Horde crossed the New Cossack lines to occupy the steppe between the Ural River and the left bank of the Volga, a steppe left empty for a generation by the flight of the Kalmuks to China and occupied only by wild horses and saiga antelope.[225] The leader of the new horde, Khan Bukei, was encouraged to do so by the Russians, who were seeking to pacify the steppe, and the move was willingly undertaken by the Khan partly for financial considerations, and partly through fear of the internecine wars and raids on the steppe beyond the Ural River.[226]

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[224] Plotnikov, 124.

[225] Ivanin, 5-7.

[226] Ibid., 7-9.